

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA

vs.

CASE NO. 3:20-CR-336-01 (FAB)

ROBERTO ORTIZ-RODRIGUEZ

**SECOND MOTION NOTIFYING VIOLATIONS TO CONDITIONS OF SUPERVISED
RELEASE AND REQUESTING AN ARREST WARRANT**

**COMES NOW, LUIS O. SANTANA, Senior U.S. Probation Officer of this
Honorable Court**, presenting an official report on the conduct and attitude of Mr. Roberto Ortiz-Rodriguez, who on September 17, 2024, commenced his supervised release term, which is scheduled to expire on September 16, 2027.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT AS
FOLLOWS:**

Mr. Ortiz-Rodriguez has incurred the following violations of his supervised release term:

**MANDATORY CONDITION: “YOU MUST REFRAIN FROM ANY UNLAWFUL
USE OF CONTROLLED SUBSTANCES. YOU MUST SUBMIT TO ONE DRUG TEST
WITHIN 15 DAYS OF RELEASE AND AT LEAST TWO PERIODIC DRUG TESTS
THEREAFTER, AFTER AS DETERMINED BY THE COURT.”**

**SPECIAL CONDITION- “THE DEFENDANT SHALL PARTICIPATE IN AN
APPROVED SUBSTANCE ABUSE MONITORING AND/OR TREATMENT SERVICES
PROGRAM. THE DEFENDANT SHALL REFRAIN FROM THE UNLAWFUL USE OF
CONTROLLED SUBSTANCES AND SUBMIT TO A DRUG TEST WITHIN FIFTEEN
(15) DAYS OF RELEASE; THEREAFTER, SUBMIT TO RANDOM DRUG TESTING, NO**

LESS THAN THREE (3) SAMPLES DURING THE SUPERVISION PERIOD AND NOT TO EXCEED 104 SAMPLES PER YEAR ACCORDANCE WITH THE DRUG AFTERCARE PROGRAM POLICY OF THE U.S. PROBATION OFFICE APPROVED BY THIS COURT. IF DEEMED NECESSARY, THE TREATMENT WILL BE ARRANGED BY THE OFFICER IN CONSULTATION WITH THE TREATMENT PROVIDER. THE DEFENDANT IS REQUIRED TO CONTRIBUTE TO THE COST OF SERVICES RENDERED (CO-PAYMENT) IN AN AMOUNT ARRANGED BY THE PROBATION OFFICER BASED ON THE ABILITY TO PAY OR AVAILABILITY OF THIRD-PARTY PAYMENT.”

On October 3, 2024, Mr. Ortiz-Rodriguez provided a urine sample that tested positive for marijuana. On February 11, 2025, another sample was collected, yielding positive results for cocaine and marijuana. Subsequently, Mr. Ortiz-Rodriguez agreed to participate in outpatient substance abuse and mental health treatment at Clinica de Tratamiento Psicoterapeutico in Bayamon, PR, a contracted provider. On March 6, 2025, Mr. Ortiz-Rodriguez left his treatment appointment for drug use disorders without authorization. On April 8, 2025, Mr. Ortiz-Rodriguez provided a urine sample that tested positive for cocaine and marijuana.

Since Mr. Ortiz-Rodriguez was actively abusing controlled substances, on April 14, 2025, he agreed to enter the Land of Freedom Residential Drug Treatment Program in San Sebastian, PR. On April 30, 2025, Mr. Ortiz-Rodriguez became hostile towards staff members since he was not satisfied with the food provided at the program. This occurred in the presence of Senior U.S. Probation Officer Alejandro Martinez, who had to de-escalate the situation. On May 6, 2025, the U.S. Probation Office was notified that Mr. Ortiz-Rodriguez had abandoned their program.

According to the discharge report, Mr. Ortiz-Rodriguez was seen under the influence of an unknown controlled substance or medication, and he appeared irritable and anxious.

To continue supporting Mr. Ortiz-Rodriguez with his drug use disorder, he was admitted to the Guarabi Residential Program in Caguas, PR, on May 15, 2025. The following day, May 16, 2025, staff observed him with red eyes, appearing sleepy and displaying a negative attitude, which indicated he might be under the influence of a controlled substance. When confronted by the Guarabi Program staff, he agreed to change his behavior. However, on May 17 and May 18, 2025, Mr. Ortiz-Rodriguez exhibited the same problematic behavior. On May 21, 2025, a drug test confirmed positive results for marijuana and cocaine. On May 23, 2025, he continued to show negative behavior, and a staff member witnessed what appeared to be a synthetic cannabis cigarette fall from one of his pockets. The next day, May 24, 2025, Mr. Ortiz-Rodriguez faced a confrontation regarding his drug use and admitted to using synthetic cannabis. Ultimately, on May 28, 2025, he was removed from the program.

Throughout his stay, the U.S. Probation Office has attempted to assist Mr. Ortiz-Rodriguez with his recovery from drug use disorders. However, he has been unable to comply with the conditions of his supervised release. Although he has been respectful towards his probation officer, he has failed to abide by the substance use treatment programs designed to assist him with his addiction. Currently, we do not have any alternatives other than to bring Mr. Ortiz-Rodriguez into compliance.

WHEREFORE, it is respectfully requested that an arrest warrant be issued, and that Mr. Ortiz-Rodriguez be brought before this Honorable Court to Show Cause as to why his Supervised Release Term should not be revoked, and thereupon, he be dealt pursuant to law.

In San Juan, Puerto Rico, this 30th day of May 2025

Respectfully submitted,

LUIS O. ENCARNACION, CHIEF
U.S. PROBATION OFFICER

s/Luis O. Santana

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CERTIFICATE OF SERVICE

I HEREBY certify that on this date, I electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all pertinent parties in this case.

In San Juan, Puerto Rico, this 30th day of May 2025.

s/Luis O. Santana

Luis O. Santana, Senior
U.S. Probation Officer